

**TENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 19, 2005**

House of Representatives

The House convened at 11:45 a.m., Mr. Denney in the Chair.

Roll call showed 67 members present.
Absent and excused -- Andrus, Bayer, Block. Total -- 1.
Total -- 70.

Prayer was offered by Representative Black.

The Pledge of Allegiance was led by Kaylin Daniels, Page.

Approval of Journal

January 19, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Ninth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

There being no objection, the House advanced to the Fifth Order of Business.

Report of Standing Committees

January 19, 2005

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 2, HCR 3, HCR 4, HCR 5, and H 6**.

FIELD(18), Chairman

HCR 2, HCR 3, HCR 4, HCR 5, and H 6 were filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 7
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF SELF-GOVERNING AGENCIES FOR THE BOARD OF EXAMINERS FOR FISCAL YEAR 2005; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 8

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC UTILITIES COMMISSION FOR FISCAL YEAR 2005; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 9
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FROM THE MISCELLANEOUS REVENUE FUND FOR FISCAL YEAR 2005; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF WATER RESOURCES FROM THE PETROLEUM PRICE VIOLATION FUND FOR FISCAL YEAR 2005; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 10
BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3004, IDAHO CODE, TO UPDATE REFERENCES TO THE INTERNAL REVENUE CODE; AMENDING SECTION 63-3022, IDAHO CODE, TO PROVIDE THAT THE AMOUNT OF GENERAL SALES TAX INCLUDED IN FEDERAL ITEMIZED DEDUCTIONS BE ADDED BACK WHEN CALCULATING STATE DEDUCTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE EFFECTIVE DATES.

**HOUSE BILL NO. 11
BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO UNCLAIMED PROPERTY; AMENDING SECTION 14-518, IDAHO CODE, TO DELETE THE REQUIREMENT OF ANNUAL NEWSPAPER PUBLICATION AND TO PROVIDE FOR QUARTERLY UPDATES ON A PUBLIC WEBSITE MAINTAINED BY THE STATE TAX COMMISSION.

**HOUSE BILL NO. 12
BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO SALES AND USE TAXES; AMENDING SECTION 63-3622K, IDAHO CODE, TO PROVIDE THAT THE DEFINITION OF "OCCASIONAL SALES" DOES NOT APPLY TO USE TAX ON TANGIBLE PERSONAL PROPERTY USED TO IMPROVE REAL PROPERTY WHEN THE PROPERTY IS OBTAINED DIRECTLY OR INDIRECTLY FROM A PERSON IN THE BUSINESS OF MAKING LIKE OR SIMILAR IMPROVEMENTS TO REAL PROPERTY.

**HOUSE BILL NO. 13
BY REVENUE AND TAXATION COMMITTEE**

AN ACT

RELATING TO INCOME TAXES; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3022F, IDAHO CODE,

TO PROVIDE A DEDUCTION FOR TAXPAYERS WHO RESTORE TO INCOME SUBSTANTIAL AMOUNTS HELD UNDER CLAIM OF RIGHT NOT DEDUCTIBLE ON THE TAXPAYER'S FEDERAL RETURN; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

ATTEST:

PAMM JUKER, Chief Clerk

HOUSE BILL NO. 14
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO JUDICIAL REVIEW OF DECISIONS OF THE STATE TAX COMMISSION; AMENDING SECTION 63-3049, IDAHO CODE, TO REVISE JURISDICTIONAL PROVISIONS FOR APPEALS TO THE BOARD OF TAX APPEALS AND THE DISTRICT COURT, TO DEFINE A TERM AND TO MAKE TECHNICAL CHANGES.

HOUSE BILL NO. 15
BY REVENUE AND TAXATION COMMITTEE
AN ACT

RELATING TO THE DISTRIBUTION OF SALES TAX REVENUES; AMENDING SECTION 63-3638, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 104, LAWS OF 2004, TO EXCLUDE DISTRIBUTION OF REVENUES DISTRIBUTED UNDER SECTION 63-3709, IDAHO CODE; AMENDING SECTION 63-3638, IDAHO CODE, AS AMENDED BY SECTION 3, CHAPTER 104, LAWS OF 2004, TO EXCLUDE DISTRIBUTION OF REVENUES DISTRIBUTED UNDER SECTION 63-3709, IDAHO CODE; AND PROVIDING EFFECTIVE DATES.

H 7, H 8, H 9, H 10, H 11, H 12, H 13, H 14, and H 15 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 5, by Appropriations Committee, was read the second time by title and filed for third reading.

H 2, H 3, and H 4, by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 11:45 a.m., Thursday, January 20, 2005. Seconded by Mr. Saylor. Motion carried.

Whereupon the Acting Speaker declared the House adjourned at 12:04 p.m.

LAWRENCE DENNEY, Acting Speaker